

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

|                                |   |                            |
|--------------------------------|---|----------------------------|
| DAVID J. PYLES,                | ) | Civil No. 1:12-cv-00346-CL |
|                                | ) |                            |
| Plaintiff,                     | ) | <b>ORDER</b>               |
|                                | ) |                            |
| v.                             | ) |                            |
|                                | ) |                            |
| MIKE WINTERS, PHILLIP CICERO,  | ) |                            |
| JACKSON COUNTY, SCOTT CLAUSON, | ) |                            |
| CITY OF MEDFORD,               | ) |                            |
|                                | ) |                            |
| Defendants.                    | ) |                            |

**PANNER, Judge.**

Plaintiff has filed a Complaint against the above named Defendants. On April 26, 2013, Magistrate Judge Clarke filed his Findings and Recommendation (docket #86), recommending (1) that Defendant's Motions (docket #38, #47) for Summary Judgment be granted and (2) that all other pending motions be denied as moot. Plaintiff filed objections to the Findings and Recommendation in this case on May 1, 2013, (docket #88) and again on June 3, 2013 (docket #93).

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). Plaintiff filed objections and I have reviewed the file of this case *de novo*.

See 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981).

After *de novo* review of the entire file, I find no error in the Findings and Recommendation and adopt it in full. Plaintiff in this case has made a considerable number of motions and other filings, including judicial misconduct complaints against both Judge Clarke and myself, complaints against Court Clerks and U.S. Marshals, and requests to have the matter assigned to a different judicial officer. Additionally, Plaintiff demands that the FBI be ordered to investigate his case. Upon review I conclude that these motions are an attempt to re-litigate the case and they are without merit. I find no misconduct has occurred and there is no reason to re-assign the case. Accordingly, all pending motions are denied.

**Conclusion**

Magistrate Judge Clarke's Findings and Recommendation (docket #86) are adopted. Defendants' Motions (docket #38, #47) for Summary Judgment are granted. All pending motions (docket #95, #96, #97, #98, #99, #102, #105, #109, #110, #111, #112) are denied.

IT IS SO ORDERED.

DATED this 9 day of July, 2013.



Owen M. Panner  
United States District Judge